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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 SETH ROSENFIELD,) Case No. C 11-02131-MEJ
14)
15 Plaintiff,)
16 v.)
17 FEDERAL BUREAU OF)
INVESTIGATION AND UNITED)
18 STATES DEPARTMENT OF JUSTICE,)
19)
Defendant.)
20

**JOINT MOTION TO BE EXCUSED
FROM THE FORMAL ADR PROCESS
AND [PROPOSED] ORDER**

21 Each of the undersigned certifies that he or she has read either the handbook entitled
22 "Dispute Resolution Procedures in the Northern District of California," or the specified portions
23 of the ADR Unit's Internet site <www.adr.cand.uscourts.gov>, discussed the available dispute
24 resolution options provided by the court and private entities; and considered whether this case
25 might benefit from any of them.

26 Here, the parties agree that referral to a formal ADR process will not be beneficial
27 because this action is limited to Plaintiff's request that the Court order Defendant to provide
28

1 Plaintiff with the information he seeks. Given the substance of the action, ADR will only serve
2 to multiply the proceedings and unnecessarily tax court resources. Accordingly, pursuant to
3 ADR L.R. 3-3(c), the parties request that the case be removed from the ADR Multi-Option
4 Program and that they be excused from participating in the ADR phone conference and any
5 further formal ADR process. The parties agree to continue informal discussions.

6

7 Dated: September 2, 2011

Respectfully Submitted,

8 MELINDA HAAG
9 United States Attorney

10 /s/
11 ILA C. DEISS, AUSA¹
12 Attorney for Defendant

13 Dated: September 2, 2011

14 /s/
15 BENJAMIN W. STEIN
16 Attorney for Plaintiff

17 **[PROPOSED] ORDER**

18 IT IS SO ORDERED. The parties are hereby excused from the ADR process.

19 Dated: September 6, 2011

20 
21 MARIA ELENA JAMES
22 United States Chief Magistrate Judge

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27 ¹I, Ila C. Deiss, hereby attest, in accordance with the Northern District of California's
28 General Order No. 45, Section X(B), the concurrence in the filing of this document has been
obtained from the other signatory listed on this document.